

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

ANTHONY R.W.,
Plaintiff,

v.

Civil No. 3:21cv323 (DJN)

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

ORDER
(Adopting Report and Recommendation)

This matter comes before the Court on Plaintiff's Objections to the Report and Recommendation (the "R&R") of the Magistrate Judge ("the Objections") (ECF No. 32)), objecting to the R&R (ECF No. 31) entered on July 20, 2022, by the Honorable Mark R. Colombell, United States Magistrate Judge, which recommended that Plaintiff's Motion for Summary Judgment be denied, that Defendant's Motion for Summary Judgment be granted and that the final decision of the Commissioner of Social Security ("the Commissioner") be affirmed. Plaintiff objects to the R&R on the grounds that it finds that the Administrative Law Judge ("ALJ") did not err in evaluating Plaintiff's subjective complaints or in concluding that Plaintiff had not proven that he required the use of a cane. On August 15, 2022, Defendant responded to Plaintiff's Objections. (ECF No. 33.) Plaintiff did not reply to Defendant's Response, and the time to do so has expired, rendering this matter ripe for review.

Having reviewed the R&R, the objections thereto and the ALJ's decision, and finding that the objections lack merit, the Court hereby ORDERS that:

1. Plaintiff's Objections (ECF No. 32) to the R&R are hereby DENIED;
2. The Report and Recommendation (ECF No. 31) is hereby ACCEPTED and

ADOPTED as the OPINION of the Court;

3. Plaintiff's Motion for Summary Judgment (ECF No. 27) is hereby DENIED;
4. Defendant's Motion for Summary Judgment (ECF No. 29) is hereby GRANTED;
5. The decision of the Commissioner is hereby AFFIRMED; and,
6. This case is now CLOSED.

Let the Clerk file this Order electronically and notify all counsel of record accordingly.

It is so ORDERED.

/s/

David J. Novak
United States District Judge

Richmond, Virginia

Dated: August 26, 2022